



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

MAY 08 2013

RECEIVED  
JUN 03 2013

Mr. Gregory R. Tan  
Greenberg Traurig  
1200 27<sup>th</sup> Street, Suite 2400  
Denver, Colorado 80202

**RE: Freedom of Information Request No. EPA-R4-2013-03823**

Dear Mr. Tan:

This letter is in response to your Freedom of Information Act (FOIA) request dated February 7, 2013, regarding selected documents and records relating to a site owned and/or operated by Richardson Roberts and/or Bucksnot RR Ranch, known as the Egypt Hollow Dam and Lake located in Humphreys County, Tennessee.

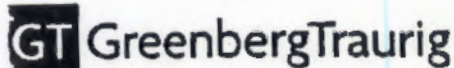
Your request has been transferred to the National Freedom of Information Act Office at Headquarters, U.S. Environmental Protection Agency with a recommendation it should be forwarded to the Criminal Investigations Division (CID). You may contact them directly regarding the status of your request at the following:

National Freedom of Information Officer  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (2822T)  
Washington, DC 20460  
Tel: (202)566-1667  
Email: [hq.foia@epa.gov](mailto:hq.foia@epa.gov)  
Web: [www.foiaonline.regulations.gov](http://www.foiaonline.regulations.gov) or [www.epa.gov/foia](http://www.epa.gov/foia)

Should you have questions regarding this response, please contact Mr. Melvin Cruver, FOIA Coordinator, (404)562-8015 or Mr. Leonard Dangerfield, Acting FOIA Officer, (404)562-9316.

Sincerely,

LouAnn Gross  
Chief, Information Access Section



Gregory R. Tan  
(303) 572-6513  
tangr@gtlaw.com

February 7, 2013

**VIA E-MAIL (r4foia@epa.gov) AND U.S. MAIL**

Regional Freedom of Information Officer  
U.S. EPA Region 4  
SNAFC - 61 Forsyth Street, SW, 9th floor  
Atlanta, GA 30303

Re: Freedom of Information Act Request, 5 U.S.C. § 552

Dear Region 4 FOIA Officer:

This is a request on behalf of Greenberg Traurig, LLP pursuant to the provisions of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and EPA's implementing regulations at 40 C.F.R. Part 2. This request seeks records relating to a site owned or operated by **Richardson Roberts and/or Bucksnot RR Ranch, LLC** known as the **Egypt Hollow Dam and Lake** located in Humphreys County, Tennessee. More specifically, please provide the following records from both the civil and criminal programs:

1. All documents, correspondence, memoranda, reports or other materials regarding or relating to investigation, evaluation, and assessment of the **Egypt Hollow Dam and Lake** located in Humphreys County, Tennessee. The scope of this request covers both technical documents and enforcement-related documents. Responsive documents are expected to include, but not be limited to, site inspections, site evaluations, jurisdictional determinations, sampling data, risk analyses, engineering analyses, regulatory analyses, orders, investigative notes, investigative reports, meeting notes, correspondence (including electronic), photographs, and press releases.

Also pursuant to this request, please provide a complete list or index of all records, documents, reports, summaries, or other information or data that are responsive, but that EPA asserts are not available for public review. Please provide a basis or justification for any such denial to access, as required by 40 C.F.R. § 2.113.

At this time, Greenberg Traurig hereby gives assurance of payment for the costs involved with this FOIA request up to \$500. If it appears charges for this request may exceed \$500, please contact me at (303) 572-6513.

DEN 98124234v1

GREENBERG TRAURIG, LLP • ATTORNEYS AT LAW • WWW.GTLAW.COM

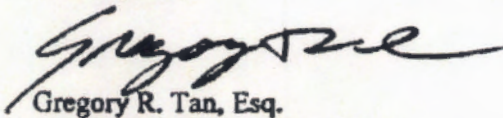
The Tabor Center • 1200 17th Street • Suite 2400 • Denver, CO 80202 • Tel 303.572.6500 • Fax 303.572.6540



Region 4 FOIA Officer  
February 7, 2013  
Page 2

I look forward to hearing from you within twenty working days, as required by  
5 U.S.C. § 552(a)(6)(A)(i). Thank you for your cooperation.

Best regards,

A handwritten signature in black ink, appearing to read "Gregory R. Tan".

Gregory R. Tan, Esq.  
of GREENBERG TRAURIG, L.L.P.

cc: Fred L. Burnside, Burnside Environmental Group

DEN 98124234v1





**Fw: FOIA Request**  
Group R4Foia to: Gayla Uslu  
Sent by: Melvin Cruver

02/11/2013 05:09 PM

— Forwarded by Melvin Cruver/R4/USEPA/US on 02/11/2013 05:09 PM —

From: <tangr@gtlaw.com>  
To: Group R4Foia@EPA  
Date: 02/07/2013 01:16 PM  
Subject: FOIA Request

---

Please see attached FOIA request.

Gregory R. Tan  
Greenberg Traurig, LLP | 1200 17th Street, Suite 2400 | Denver, Colorado 80202  
Tel 303.572.6513 | Fax 720.904.7613  
[tangr@gtlaw.com](mailto:tangr@gtlaw.com) | [www.gtlaw.com](http://www.gtlaw.com)

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at [postmaster@gtlaw.com](mailto:postmaster@gtlaw.com), and do not use or disseminate such information. Pursuant to IRS Circular 230, any tax advice in this email may not be used to avoid tax penalties or to promote, market or recommend any matter herein.

\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*

This Email message contained an attachment named  
image001.jpg  
which may be a computer program. This attached computer program  
could  
contain a computer virus which could cause harm to EPA's  
computers,  
network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses  
introduced  
into the EPA network. EPA is deleting all computer program  
attachments  
sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate,  
you  
should contact the sender and request that they rename the file  
name





**Cruver, Melvin**

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**From:** Gross, Louann  
**Sent:** Tuesday, May 07, 2013 12:20 PM  
**To:** tangr@gtlaw.com  
**Cc:** Cruver, Melvin; Robinson, Donna  
**Subject:** RE: EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)  
**Attachments:** image001.jpg

Mr. Tan:

Thank you for providing further clarification of your request. However, your request for criminal enforcement records will be referred to the Criminal Investigations Division in HQ with instructions to provide a direct response to you. While the records may reside physically in the Region, the organizational component is functionally attached to HQ. You will receive additional correspondence regarding the transfer. Should you have questions regarding this transfer, please contact me at (404) 562-9642. I am happy to respond to your inquiries.

LouAnn Gross

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**From:** tangr@gtlaw.com [tangr@gtlaw.com]  
**Sent:** Tuesday, May 07, 2013 11:27 AM  
**To:** Robinson, Donna  
**Cc:** Gross, Louann  
**Subject:** FW: EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)

Ms. Robinson,

I received a letter from Lou Ann Gross today relating to the above-referenced FOIA request. While the letter correctly characterizes my conversation with Philip Mancusi-Ungaro relating to the civil enforcement files, it does not address the issue I raised in the email below relating to criminal files. This matter was investigated by the EPA criminal division and was eventually declined for criminal prosecution. I have asked whether any of the criminal division files are available under FOIA. Will you please let me know whether Region 4 can provide responsive documents from the criminal files?

Thanks and best regards,

-Greg

Gregory R. Tan  
Greenberg Traurig, LLP | 1200 17th Street, Suite 2400 | Denver, Colorado 80202 Tel  
303.572.6513 | Fax 720.904.7613 tangr@gtlaw.com<mailto:tangr@gtlaw.com> |  
[www.gtlaw.com](http://www.gtlaw.com)<<http://www.gtlaw.com/>>

[Greenberg Traurig]

**From:** Tan, Gregory R. (Assoc-Den-LT-Env)  
**Sent:** Friday, April 19, 2013 1:26 PM  
**To:** 'Robinson, Donna'  
**Subject:** RE: EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)

Ms. Robinson,



I have spoken with Philip Mancusi-Ungaro about this case. He is the attorney for the civil enforcement of this matter. After speaking with Phil, I don't believe I will need anything from the civil enforcement side of this case. However, this matter was also investigated by the EPA criminal division and would have had a separate criminal attorney. I am interested to know whether anything from the criminal file would be available at this time under FOIA. I think EPA's criminal attorney could help answer this question, but I don't know who it is.

Regards,

-Greg

Gregory R. Tan  
Greenberg Traurig, LLP | 1200 17th Street, Suite 2400 | Denver, Colorado 80202 Tel  
303.572.6513 | Fax 720.904.7613 [tangr@gtlaw.com](mailto:tangr@gtlaw.com)<<mailto:tangr@gtlaw.com>> |  
[www.gtlaw.com](http://www.gtlaw.com)<<http://www.gtlaw.com/>>

[Greenberg Traurig]

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at [postmaster@gtlaw.com](mailto:postmaster@gtlaw.com), and do not use or disseminate such information. Pursuant to IRS Circular 230, any tax advice in this email may not be used to avoid tax penalties or to promote, market or recommend any matter herein.

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image001.jpg

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This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*



**Cruver, Melvin**

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**From:** Robinson, Donna  
**Sent:** Tuesday, May 07, 2013 12:11 PM  
**To:** Cruver, Melvin  
**Cc:** Robinson, Donna; Gross, Louann  
**Subject:** EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)  
**Attachments:** image001.jpg

Hi Groovie,

Per my conversation with LouAnn, please transfer this request to HQ.

Thank you

Donna

-----Original Message-----

**From:** Robinson, Donna  
**Sent:** Tuesday, April 23, 2013 9:19 AM  
**To:** Mancusi-Ungaro, Philip  
**Cc:** Robinson, Donna  
**Subject:** FW: Criminal Investigation? FW: EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)

Good Morning

Phillip,

Please see the email below from Mr. Tan. Are you aware of a criminal investigation?

Thank you

Donna M. Robinson  
Information Analysis, Integration, and Systems Branch Office of Policy and Management  
Environmental Protection Agency, Region 4  
61 Forsyth Street  
Atlanta, GA 30303  
Tel: (404) 562-9500  
Fax: (404) 562-8269  
Robinson.Donna@epa.gov

---

**From:** tangr@gtlaw.com [tangr@gtlaw.com]  
**Sent:** Friday, April 19, 2013 3:25 PM  
**To:** Robinson, Donna  
**Subject:** RE: EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)

Ms. Robinson,



I have spoken with Philip Mancusi-Ungaro about this case. He is the attorney for the civil enforcement of this matter. After speaking with Phil, I don't believe I will need anything from the civil enforcement side of this case. However, this matter was also investigated by the EPA criminal division and would have had a separate criminal attorney. I am interested to know whether anything from the criminal file would be available at this time under FOIA. I think EPA's criminal attorney could help answer this question, but I don't know who it is.

Regards,

-Greg

Gregory R. Tan  
Greenberg Traurig, LLP | 1200 17th Street, Suite 2400 | Denver, Colorado 80202 Tel  
303.572.6513 | Fax 720.904.7613 tangr@gtlaw.com<mailto:tangr@gtlaw.com> |  
www.gtlaw.com<http://www.gtlaw.com/>

[Greenberg Traurig]

From: Robinson, Donna [mailto:Robinson.Donna@epa.gov]  
Sent: Tuesday, April 02, 2013 1:53 PM  
To: Tan, Gregory R. (Assoc-Den-LT-Env)  
Cc: Robinson, Donna; Pressley, Miriam  
Subject: RE: EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)

Mr. Tan

Thank you for providing me with the contact information. Philip said he spoke to you and will be working with you to determine what you want/need. I will follow-up with him later in the week to discuss a timeframe as to when he can provide the information responsive to your request. The case has gone on for 5 years and is huge.

Cordially,

Donna

From: tangr@gtlaw.com<mailto:tangr@gtlaw.com> [mailto:tangr@gtlaw.com]  
Sent: Tuesday, April 02, 2013 10:53 AM  
To: Robinson, Donna  
Subject: RE: EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)

Ms. Robinson,

As we discussed this morning, I believe the following individuals in EPA Region 4 are aware of this project and may have records responsive to my FOIA request.

- Mike Wylie, Water Protection Division, Wetlands section
- Stephanie Fulton, Water Protection Division, Wetlands section
- Philip Mancusi-Ungaro, Office of Environmental Accountability, Water Law section

\* \* \*



Regards,

-Greg

Gregory R. Tan

Greenberg Traurig, LLP | 1200 17th Street, Suite 2400 | Denver, Colorado 80202 Tel  
303.572.6513 | Fax 720.904.7613 tangr@gtlaw.com<mailto:tangr@gtlaw.com> |  
www.gtlaw.com<http://www.gtlaw.com/>

[Greenberg Traurig]

From: Robinson, Donna [mailto:Robinson.Donna@epa.gov]  
Sent: Tuesday, April 02, 2013 8:43 AM  
To: Tan, Gregory R. (Assoc-Den-LT-Env)  
Cc: Robinson, Donna  
Subject: FW: EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)

From: Robinson, Donna  
Sent: Tuesday, April 02, 2013 10:38 AM  
To: tangr@gtlaw.com<mailto:tangr@gtlaw.com>  
Cc: Robinson, Donna  
Subject: EPA-R4-2013-003823 - Egypt Hollow Dam and Lake (Humphreys County, TN)

Good Morning

Mr. Tan,

As a follow-up to your telephone call on Monday, Apr 1, 2013. I left you a message this morning. The initial search conducted on the site of interest was completed using the website listed below. Unfortunately, information responsive to your request is not available on this database site.

Please provide me with any additional information such as an address, ID#, etc.

Envirofacts:

<http://www.epa.gov/enviro/facts/multisystem.html>

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com<mailto:postmaster@gtlaw.com>, and do not use or disseminate such information. Pursuant to IRS Circular 230, any tax advice in this email may not be used to avoid tax penalties or to promote, market or recommend any matter herein.

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For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*





## Task Details

Request Status : Assignment Determination Task Due Date : 02/25/2013

Submitted Evaluation Assignment Processing Closed

## Request Details

Tracking Number : EPA-R4-2013-003823	Request Type : FOIA
Requester : Mr. Gregory R. Tan	Request Track : Simple
Organization : GreenbergTraurig	Submitted Date : 02/07/2013
Requester Has Account : No	Due Date : 03/20/2013
Email Address : tangr@glaw.com	Assigned To : Robinson Donna (Region 4)
Phone Number : 303-572-6513	Last Assigned Date : 02/20/2013
Fax Number : 720-904-7613	Last Assigned By : Melvin Cruver (Region 4)
Address : 1200 27th Street, Suite 2400	Fee Limit : \$500.00
City : Denver	
State/Province : CO	
Zip Code/Postal Code : 80202	

## Task Details

Task Type : Request Detail	Assigned To : OEA Attorney Assignments (Region 4)
----------------------------	---

## Submission Details

Case File Admin Cost Assigned Tasks Comments Review

## Request Handling

Requester Info : Yes	Request Perfected : Yes
Available to the Public :	Perfected Date : 02/20/2013
Request Track : Simple	Acknowledgement Sent : 02/20/2013
Fee Category : Commercial	Date :
Fee Waiver Requested : No	Unusual Circumstances ? No
Fee Waiver Status : N/A	
Expedited Processing Requested : No	
Expedited Processing Status : N/A	

## Request Description

## Short Description :

selected documents and records relating to a site owned or operated by Richardson Roberts and/or Bucksnoth RR Ranch, LLC, known as the Egypt Hollow Dam and Lake located in Humphreys County, Tennessee

Description Available to the Public : Yes

Has Request Been Modified? ☐

## Attached Supporting Files

Attachments Available to the Public : No  
No supporting files have been added.





## Request Details

Status : Assignment Determination Due Date : 03/20/2013

6

Submitted Evaluation Assignment Processing Closed

Tracking Number : EPA-R4-2013-003823  
Requester : Mr. Gregory R. Tan  
Organization : GreenbergTraurig  
Requester Has Account : No

Submission Details Case File Admin Cost Assigned Tasks Comments Review

Direct URL : <https://foiaonline.regulations.gov/443/foia/action/public/view/request/8002fac6>

## Case Categorization and Initiation

Type of Case : FOIA Received Date : 02/07/2013  
Fiscal Year : 2013 Clock Initially Started On : 02/20/2013  
Total Days Pending : 6

SAVE CHANGES CANCEL

Records Consultations Correspondence Appeals Invoice

## Correspondence to Requester

One item found.

1

Subject	From	To	Date	Detail	Remove
Acknowledgment Letter	Melvin Cruver	Gregory R. Tan	02/20/2013		

02/20/2013 05:06 PM  
FOIA Request: EPA-R4-2013-003823

Dear Requestor:

Thank you for your FOIA request to EPA Region 4.

You have requested records as described in the summary of your request, which you may view using the above reference number at [www.foiaonline.regulations.gov](http://www.foiaonline.regulations.gov).The FOIA Specialist assigned to respond to your request is Ms. Donna Robinson, 404-562-8390 or [robinson.donna@epa.gov](mailto:robinson.donna@epa.gov).


Please find attached additional important information regarding the processing of your request. Should you experience any problems with the processing of your request, please contact me directly.

Sincerely,

LouAnn Gross

Freedom of Information Officer Office: (404) 562-9642 E-mail: [r4foia@epa.gov](mailto:r4foia@epa.gov)

## Correspondence Attachments

Attached File	Type	Size (KB)	Remove
Important Additional Information Regarding the Processing of Your FOIA Request.pdf	PDF	99.03	

One item found.

1

